

**REMARKS**

Favorable reconsideration and allowance of the present application are respectfully requested. Claims 1-6 were pending prior to the final Office Action. Claims 4-6 are withdrawn from consideration by the Examiner. Claims 7-18 are added through this reply. Therefore, claims 1-3 and 7-18 are pending. Claims 1-6 are independent.

**§ 103 REJECTION – BAR, MATSUMARA, ALLEBACH**

Claims 1-3 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bar et al. (U.S. Patent 5,506,946) in view of either Matsumara (JP 072 349 33 A) or in view of Allebach (U.S. Patent 5,544,284). *See Final Office Action, items 6-7.* Applicant respectfully traverses.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie case* of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j).* Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, the combination of Bar and Matsumara and the combination Bar and Allebach cannot be relied upon to teach or suggest all features of the claimed invention. For example, amended independent claim 1

recites, in part “changing a color-tone of a desired area including the second area into the color-tone of the first area while continuously changing the color-tone at a border of the second area.” Bar cannot be relied upon to teach or suggest at least this feature. Bar is directed toward data processing of images of color or gray scale images displayed in a computer controlled system. *See Bar, column 1, lines 8-11.* Bar discloses selecting a source color and a target color and converting all pixels of the source color into the target color. Bar also discloses building a look-up table of conversions from source colors to the target colors. *See Bar, Figures 3A-3F; Figures 4A-4D.*

However, Bar is entirely silent regarding changing the color tone of a desired area including the second area into the color tone of the first area while continuously changing the color tone at the border of the second area as recited. Neither Matsumara nor Allebach has been relied upon to correct for at least this deficiency of Bar. Therefore, independent claim 1 is distinguishable over the combination of Bar and Matsumara and distinguishable over the combination of Bar and Allebach.

Independent claim 2 recites, in part, “conversion means for converting a color-tone of a desired area including the second area into the color-tone of the first area while continuously changing the color-tone at a border of the second area.” It has been amply demonstrated above that neither the combination of Bar and Matsumara nor the combination of Bar and Allebach can be relied

upon to teach or suggest at least this feature. Therefore, claim 2 is also distinguishable over the combination of Bar and Matsumara and distinguishable over the combination of Bar and Allebach.

Independent claim 3 recites, in part “changing a color-tone of a desired area including the second area into the color-tone of the first area while continuously changing the color-tone at a border of the second area.” Clearly, claim 3 is distinguishable over the combination of Bar and Matsumara and distinguishable over the combination of Bar and Allebach.

Applicants respectfully request that the rejection of claims 1-3 based on Bar and Matsumara or Bar and Allebach be withdrawn.

#### NEW CLAIMS

Through this reply, claims 7-18 are added. These claims depend from independent claims 1, 2 or 3 directly or indirectly. Therefore, for at least the reasons stated above with respect to the independent claims as well as on their own merits, the new claims are allowable. Applicants respectfully request that the new claims be allowed.

**CONCLUSION**

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

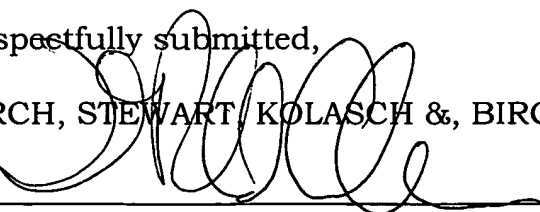
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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